

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS ALFRED USHER,
Plaintiff,
v.
KERN COUNTY SUPERIOR COURT,
Defendant.

No. 1:22-cv-00294-DAD-BAK (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION

(Doc. No. 6)

Plaintiff Thomas Alfred Usher is a state prisoner proceeding *pro se* in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 14, 2022, plaintiff filed a motion to proceed *in forma pauperis*. (Doc. No. 2.) On March 31, 2022, the assigned magistrate judge issued findings and recommendations, recommending that this case be dismissed because the named defendant, the Kern County Superior Court, is entitled to Eleventh Amendment immunity. (Doc. No. 6.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days of service. (*Id.*) To date, no objections have been filed with the court and the time in which to do so has since passed.

////

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, the court finds the findings
3 and recommendations to be supported by the record and by proper analysis.

4 Accordingly,

- 5 1. The findings and recommendations issued on March 31, 2022 (Doc. No. 6) are
6 adopted;
- 7 2. This case is dismissed; and
- 8 3. The Clerk of the Court is directed to close this case.

9 IT IS SO ORDERED.

10 Dated: April 29, 2022

11 
12 _____
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28